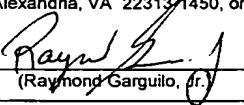


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 31, 2005 Signature: 
(Raymond Garguilo, Jr.)

O I P E
FEB 03 2005
PATENT & TRADEMARK OFFICE
Docket No.: SPINE 3.0-437 CIPCIPCIPCIPCIPCON V
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reexamination Application of:
Errico et al.

Application No.: 10/784,629

Confirmation No.: 8400

Filed: February 23, 2004

Art Unit: 3738

For: INSTRUMENTATION FOR MANIPULATING
ARTIFICIAL INTERVERTEBRAL DISC
TRIALS HAVING A CYLINDRICAL
ENGAGEMENT SURFACE

Examiner: Not Yet Assigned

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: January 31, 2005

Respectfully submitted,

By 
Raymond Garguilo, Jr.
Registration No.: 50,930
LERNER, DAVID, LITTBENBERG,
KRMHOLZ & MENTLIK, LLP
600 South Avenue West
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Attorney for Applicant



PTO/SB/96 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Joseph P. Errico, Michael W. Dudasik, and Rafail ZubokApplication No./Patent No.: 10/784,629 Filed/Issue Date: February 23, 2004Entitled: **INSTRUMENTATION FOR MANIPULATING ARTIFICIAL INTERVERTEBRAL DISC TRIALS**
HAVING A CYLINDRICAL ENGAGEMENT SURFACESpineCore, Inc. , a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____ , Frame _____ , or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Joseph P. Errico et al. To: Third Millennium Engineering, LLC
The document was recorded in the United States Patent and Trademark Office at
Reel 013441 , Frame 0325 , or for which a copy thereof is attached.
2. From: Third Millennium Engineering, LLC To: SpineCore, Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel 014344 , Frame 0937 , or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____ , Frame _____ , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

SignatureJanuary 31, 2005

Date

RAYMOND GARGUILLO, JR.

(908) 518-6342

Printed or Typed Name

Telephone Number

Authorized Signer for Assignee

Title



FEB 03 2005

JFw

PTO-SB/82 (09-03)

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REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	10/784,629
	Filing Date	February 23, 2004
	First Named Inventor	Joseph P. Errico
	Art Unit	3738
	Examiner Name	
	Attorney Docket Number	SPINE 3.0-437 CIP CIP CIP CIP CIP CIP CON V

I hereby revoke all previous powers of attorney given in the above-identified application.

A Power of Attorney is submitted herewith.

OR

I hereby appoint the practitioners associated with the Customer Number: 000530

Please change the correspondence address for the above-identified application to:

The address associated with
Customer Number:

000530

OR

Firm or
Individual Name

Address

City

Country

State

Zip

Telephone

Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name	Joseph P. Errico, SpineCore, Inc.
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Signature	
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Date	9/21/04	Telephone	908-522-3460
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NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

<input type="checkbox"/>	*Total of <u>1</u> forms are submitted.
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